



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

May 16, 2012

RE: CUYAHOGA
VILLAGE OF WOODMERE
FACILITY PERMIT NO: 3GQ00099*BG
DATE OF INITIAL PERMIT COVERAGE: 4/7/2003
DATE OF NPDES PERMIT RENEWAL: 6/4/2009
MUNICIPAL STORM WATER
ANNUAL REPORT REVIEW – 2011

Edward Hren, P.E.
Village Engineer
Village of Woodmere
27899 Chagrin Boulevard
Woodmere Village, OH 44122

NOTICE OF VIOLATION

Dear Mr. Hren:

On April 24, 2012, Ohio EPA received a copy of the annual report required by the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small Municipal Separate Storm Sewer Systems (MS4s) #OHQ000002. Upon review, Ohio EPA has determined the following:

The annual report for reporting year 2011 is incomplete. In particular, the annual report does not provide the following information:

- The Village of Woodmere uses Chagrin Valley Engineering and CRWP to conduct parts of the Public Education and Outreach, Public Involvement, IDDE, Construction, Post-Construction, and Pollution Prevention/Good Housekeeping program. Although mentioned, the Memorandum of Understanding (MOU) between the Village of Woodmere and these third parties has not been provided. Please submit a current, signed copy of these MOUs or contracts.
- An attachment that provides schedules for the elimination of illicit connections that have been identified but not yet eliminated. Please list each remaining incidence of known illicit connection, the address or other location indicator, a brief description of the situation and provide a schedule for its elimination.

Further, upon review of the annual report, it appears that the Village of Woodmere has not enacted the following required ordinances or resolutions, or met the following NPDES permit requirements:

- **Construction Site Runoff Control** - Failure to enact an ordinance or resolution equivalent in technical requirements to the Ohio EPA General Storm Water NPDES permit for Construction Activities #OHC000003 is a violation of Part III.B.4.a.i of the NPDES permit. This ordinance or resolution was to be enacted within two years of NPDES permit renewal. The current ordinance was last updated on 7/21/2004.
- **Post-Construction Storm Water Management** - Failure to enact an ordinance or resolution equivalent in technical requirements to the Ohio EPA General Storm Water NPDES Permit for Construction Activities #OHC000003 is a violation of Part III.B.5.c of the NPDES permit. This ordinance or resolution was to be enacted within two years of NPDES permit renewal. The current ordinance was last updated on 4/16/2008.
- **Development of an SWP3 for Municipal Operations** – The Village of Woodmere does not indicate that they have developed an SWP3 for municipal facilities subject to industrial storm water permitting or for municipal facilities where operations described in 40 Code of Federal Regulations (CFR) Part 122.26(b)(14) occur. Please be aware that the NPDES permit required a Storm Water Pollution Prevention Plan (SWP3) to be developed and implemented at these facilities within two years of NPDES permit renewal. This is a violation of Part III.B.6.c of the NPDES permit.

Please be aware that failure to comply with the NPDES permit is a violation of Ohio Revised Code 6111.07 and is subject to penalties.

Finally, the annual report indicates the following possible areas of non-compliance with performance standards contained within the NPDES permit:

- **Employee Training on Pollution Prevention & Good Housekeeping Practices** – The Village of Woodmere indicated that employee training on MCM #6 was conducted at least annually, however; only one employee was listed as attending. If applicable in regards to the size of your department, more employees should attend training sessions and be aware of the procedures and regulations. It is expected that all relevant employees receive training on storm water pollution prevention practices. Relevant employees would include any employee who job duties have an impact on storm water runoff quality.
- **Public Participation and Involvement** – The Village of Woodmere did not provide very detailed or effective reporting on public involvement activity during the reporting period. Please be aware that the NPDES permit requires you to conduct at least five public involvement activities during the current NPDES permit term.
- **Dry Weather Screening of MS4 Outfalls** – The City of Woodmere did not conduct any dry weather screening of MS4 outfalls during the reporting period. Please be aware that you must conduct dry weather screening of 100% of your outfalls by the end of the

current NPDES permit term. If this activity has already been completed, you are to prioritize outfalls with indicators of potential illicit discharge and perform on-going, follow-up investigations to identify sources of illicit discharge and eliminate them.

Please submit the items necessary to complete your annual report and, if violations or possible non-compliance are noted above, please provide me with a letter of response indicating the actions taken to correct these violations. For actions yet to be completed, provide me with a schedule by which corrective action will be complete. If we have incorrectly identified violations or areas of possible non-compliance, please provide a letter of explanation and documentation to support your position. Your response should be received **no later than June 1, 2012**.

If you have any questions, please contact me at (330) 963-1125 or via e-mail at kelly.mcvay@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly McVay", with a stylized flourish at the end.

Kelly McVay
Assistant to the District Engineer
Division of Surface Water

KM/cs

cc: Mayor Charles Smith III
Woodmere Stormwater Committee

ec: Jason Fyffe, Ohio EPA, DSW, CO